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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAWRENCE OBSTFELD,
individually and derivatively
on behalf of TOEV MEDICAL
CORPORATION, and
IGNITION VENTURES, INC.,

Plaintiffs,

v.

ARTHUR SCHWARTZ,
RONALD SOLAR,
RENAISSANCE BIOMEDICAL, INC.,
GLEN LIEBER, and
THERMOPEUTIX, INC.,

Defendants.

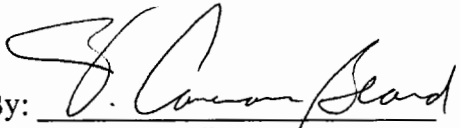
**NOTICE OF MOTION BY DEFENDANT ARTHUR SCHWARTZ
TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(1) AND OF
PARTIAL JOINDER IN THE MOTION TO DISMISS OF CO-DEFENDANTS RONALD
SOLAR, RENAISSANCE BIOMEDICAL, INC., GLEN LIEBER, AND
THERMOPEUTIX, INC.**

PLEASE TAKE NOTICE THAT Defendant Arthur Schwartz hereby moves to dismiss the Amended Complaint for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1) and in support thereof hereby joins in and adopts that portion of the: (1) Motion To

Dismiss Of Ronald Solar, Renaissance Biomedical, Inc., Glen Lieber, And ThermopectiX, Inc.; and (2) Memorandum Of Law In Support Of Defendants Ronald Solar, Renaissance Biomedical, Inc., Glen Lieber, And ThermopectiX, Inc.'s Motion To Dismiss related to this Court's lack of subject matter jurisdiction.

Defendant Arthur Schwartz respectfully requests that this Court grant this motion and dismiss plaintiffs' Amended Complaint for lack of subject matter jurisdiction for all the reasons set forth in the Motion to Dismiss of Ronald Solar, Renaissance Biomedical, Inc., Glen Lieber, and ThermopectiX, Inc. and the memorandum of law in support thereof, which are hereby incorporated by reference. Defendant Arthur Schwartz requests oral argument on this motion.

Dated: August 24, 2007

By: 
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